

REMARKS

Applicants wish to thank the Examiner for considering the present application. In the Office Action dated August 11, 2004, claims 1-18 are pending in the application. The allowability of claims 8-18 is acknowledged. The allowability of claim 3 if rewritten in independent form and removing the §112 rejection is also noted. Applicants respectfully request the Examiner to reconsider the rejection of claims 1, 2 and 4-7.

Claims 3 and 8 stand rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicants regard as the invention. Claims 3 and 8 have been amended to remove the "the" in front of wheel departure angle and reference bank angle. Applicants believe that these amendments overcome the rejection.

Claims 1-2 and 4-7 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Chubb* (6,593,849). Applicants respectfully traverse.

Claim 1 has three steps. The first step is determining a relative roll angle. The relative roll angle is a specific angle that is set forth in Fig. 2. As defined in the specification, the roll angle is the angle between the wheel axle and the body. Applicants respectfully submit that no teaching or suggestion is found in the *Chubb* reference for the specific relative roll angle. Also, the step of when the vehicle is a transitional maneuver, setting a roll signal for control to the relative roll angle is not taught or suggested. The roll signal for control is a specific angle that is determined based on various conditions as set forth in the specification. In that sense claim 1 is a specific portion of determining the roll signal for control when the vehicle is in a transitional maneuver. No teaching or suggestion is provided for this step in the *Chubb* reference. Applicants therefore respectfully submit that each and every element of claim 1 is not taught or suggested in the *Chubb* reference.

Claims 1-2 and 4-7 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Takagi* (6,324,458). Applicants respectfully traverse.

As mentioned above, the relative roll angle is a specific roll angle between the vehicle body and the vehicle axle. Applicants respectfully submit that the *Takagi* reference does not teach or suggest a relative roll angle. Also, the *Takagi* reference does not teach when the vehicle is in a transitional maneuver setting a roll signal for control to the relative roll angle. Applicants therefore respectfully request the Examiner for reconsideration of claims 1-2 and 4-7.

Claims 1-2 and 4-7 stand rejected under 35 U.S.C. §102(e) as being anticipated by *Meyers* (2003/0163231). Applicants respectfully traverse.

Applicants admit that the *Meyers* reference teaches a relative roll angle as set forth in Fig. 8. Applicants, however, can find no teaching or suggestion of determining when the vehicle is in a transitional maneuver. There is also no teaching or suggestion in the *Meyers* reference for setting the roll signal for control to the relative roll angle when the vehicle is in a transitional maneuver. The Examiner points to page 1 of the *Meyers* reference for determining a transitional maneuver. It should be noted in the present application that transitional flags are set as the vehicle changes from a right to a left turn and from a left turn to a right turn. These are set forth in paragraph 59. Applicants can find no teaching or suggestion for determining such transitions or transitional maneuvers. Therefore, applicants respectfully request the Examiner to reconsider this rejection as well.

In light of the above amendments and remarks, applicants submit that all objections are now overcome. Applicants respectfully submit that the application is now in condition for allowance and expeditious notice thereof is earnestly solicited. Should the Examiner have any questions or comments the Examiner is respectfully requested to call the undersigned attorney.

Please charge any fees required in the filing of this amendment to Deposit Account 06-1510.

Respectfully submitted,



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